

### **REMARKS**

On March 18, 2008 a request for continued examination (RCE) was filed in response to the Advisory Action dated March 13, 2008 to have the Amendment filed in response to the final Office dated October 18, 2007 entered and considered by the Examiner. After filing the RCE, the Office Communication dated June 9, 2008 was issued in connection with the above-identified application. The Office Communication indicated that the Amendment filed on March 18, 2008 submitted new claims (i.e., 12-24) which were directed to an invention that was independent and distinct from the claimed invention as originally filed.

A brief telephone interview was conducted with Supervisor Follansbee regarding the Office Communication. During that telephone interview, it was noted that the original claims were directed to a resource management system that included a resource management server; and new claims 12-24 were directed to more specific features of the resource management server. Thus, it was asserted by the Applicants that the decision reached in the Office Communication (i.e., that the Amendment of March 18, 2008 was non-responsive) was improper. At the conclusion of the telephone interview, it was agreed that the best course of action was to add the original claims back to the application and also include the additional features of the resource management server included in claims 12-24. Accordingly, the present Amendment adds new claims 25-47, which correspond to original claims 1-11 and includes the additional features of claims 12-24.

Accordingly, this Amendment is fully responsive to the Office Communication dated June 9, 2008 as well as the final Office Action dated October 18, 2007. Claims 12-24 were previously pending in the present application. By this Amendment, claims 12-24 have been canceled without prejudice or disclaimer to the subject matter therein; and claims 25-47 have been added. Accordingly, claims 25-47 are all the claims that remain pending in the present application. No new matter has been introduced by the new claims. Thus, favorable reconsideration on the merits is respectfully requested.

In the Office Action dated October 18, 2007, the Examiner made the following prior art rejections to the claims: claims 1, 2, 7, 10 and 11 have been rejected under 35 USC 103(a) as being unpatentable over Derango et al. (U.S. Patent No. 7,120,147, hereafter “Derango”) in view of Parmar et al. (U.S. Publication No. 2003/0023711, hereafter “Parmar”); claims 3 and 4 have been rejected under 35 USC 103(a) as being unpatentable over Derango in view of Parmar, and further in view of Vaid et al. (U.S. Patent No. 6,502,101, hereafter “Vaid”); claims 6, 8 and 9 have been rejected under 35 USC 103(a) as being unpatentable over Derango in view of Parmar, and further in view of Chawla et al. (U.S. Patent No. 6,876,668, hereafter “Chawla”); and claim 5 has been rejected under 35 USC 103(a) as being unpatentable over Derango in view of Parmar, and further in view of Vaid and Chawla.

As noted above, the Applicants have canceled claims 1-11 rendering the rejections to those claims moot. Additionally, the Applicants maintain that new claims 25-47 are patentably distinguishable over the cited prior art.

For example, independent claim 25 recites the following features:

“[a] resource management system, comprising:

- a plurality of electronic equipments classified into groups according to functions of the plurality of electronic equipment;

- a plurality of lower layer transmission devices with ports where said plurality of electronic equipments are operable to be connected;

- an upper transmission device operable to connect said plurality of lower layer transmission devices in subordinates and to relay information among said plurality of electronic equipments being connected to said plurality of lower layer transmission devices; and

- a resource management server operable to manage resources to be used for transmitting information between said upper transmission device and said plurality of lower layer transmission devices, the resource management server comprising:

- at least one processor; and

- a memory, wherein the at least one processor executes resource

management functions including:

a storing function of storing first group information and reservation status information, the first group information defining a group to which a function of a first electronic equipment connected to a transmission apparatus belongs, the reservation status information including information with respect to an available bandwidth for connection to the transmission apparatus;

a receiving function of receiving second group information and resource reservation-requesting information from a second electronic equipment newly connected to the transmission apparatus, the second group information defining a group to which a function of the second electronic equipment belongs, the resource reservation-requesting information including information with respect to a bandwidth requested by the second electronic equipment;

a group-judging function of judging, based on the first group information and the second group information, whether or not the second electronic equipment belongs to the same group as the first electronic equipment when the receiving function receives the second group information; and

a path-judging function of judging, based on the reservation status information and the resource reservation-requesting information, whether or not a communication path between the first electronic equipment and the second electronic equipment is available when the group-judging function judges that the second electronic equipment belongs to the same group as the first electronic equipment,

wherein said resource management server is operable to manage information of resource reservation status and information of groups of all said electronic equipments connected to said plurality of lower layer transmission devices; when said plurality of electronic equipments are newly connected to said plurality of lower layer transmission devices, each respective electronic

equipment is operable to send, to said resource management server, a notice of resource reservation request and group information of the respective electronic equipment; and when said resource management server receives the notice, said resource management server is operable to set up a path in a network connecting the newly connected electronic equipments and other electronic equipments belonging to the same group that the notice indicates, and said resource management server is operable to judge if the resource reservation request according to the notice is acceptable on the path set up in the network.”

These features noted above in independent claim 25 are similarly recited in independent claims 46 and 47. Specifically, claim 46 is directed to a corresponding method claim, and claim 47 is directed to a corresponding program claim; both of which include similar features noted above in claim 25.

The Applicants maintain that the cited prior art fails to disclose or suggest at least the features of the “receiving function,” “group-judging function,” and “path-judging function” of independent claims 25, 46 and 47.

Specifically, Derango is directed to a call control method in a multi-zone, packet-based communication system that uses a reservation proxy function. In Derango, the communication system includes base sites organized in respective zones (e.g., zone 1-zone 4). The base sites include base stations for communication with wireless units in respective coverage areas, which are logically coupled to each other via router elements associated with the respective zones.

As described in Derango, a base station desiring to receive data packets, sends Internet Group Management Protocol (IGMP) Join Messages to the attached router. The router, in turn, creates a spanning tree of router interfaces for distributing data packets (see e.g., col. 4, lines 57-60). Derango also discloses the use of an RSVP protocol that includes the use of three different types of messages for achieving a specific type of data flow: 1) Wildcard Filter (WF); 2) Shared Explicit (SE); and 3) Fixed Filter (FF) (see e.g., col. 5, line 59-col. 6, line 21).

However, Derango, fails to disclose or suggest the following features recited in

independent claims 25, 46 and 47:

- 1) receiving second group information and resource reservation-requesting information from a second electronic equipment newly connected to the transmission apparatus, the second group information defining a group to which the second electronic equipment belongs, the resource reservation-requesting information including information with respect to a bandwidth requested by the second electronic equipment;
- 2) judging, based on the first group information and the second group information, whether or not the second electronic equipment belongs to the same group as the first electronic equipment when the receiving function receives the second group information; and
- 3) judging, based on the reservation status information and the resource reservation-requesting information, whether or not a communication path between the first electronic equipment and the second electronic equipment is available when the group-judging function judges that the second electronic equipment belongs to the same group as the first electronic equipment.

Moreover, Parmer, Vaid and Chawla (individually or in combination) fail to overcome the deficiencies noted above in Derango. That is, Parmer, Vaid and Chawla (individually or in combination) fail to disclose or suggest the “receiving function,” “group-judging function,” and “path-judging function” of independent claims 25, 46 and 47.

Specifically, Parmer merely discloses a policy based network management (PBNM) system that is used to identify one or more policies associated with a network component (e.g., a network device, a device group, a device subgroup, a user, an application, or end-host). More specifically, the system identifies one or more policies directly associated with a network component, generates a list of one or more groups

to which the network component belong, and identifies one or more policies associated with each of the groups in the generated list (see e.g., Abstract).

Vaid discloses a method for monitoring or profiling quality of service for one or more information sources in a network of computers. As described in Vaid, a network of computers is coupled to each other, and to a local area network. Additionally, a firewall server is coupled to the network of computers, and a distributed traffic management tool is coupled to the firewall server for achieving traffic monitoring or profiling of incoming and outgoing information from information sources (see e.g., Abstract).

Finally, Chawala discloses a system capable of dynamically reserving bandwidth and adjusting bandwidth reservations for active sessions of data communication in a data communications device. As described in Chawala, the system accepts requests to allocate or reserve bandwidth using bandwidth reservation protocols such as RSVP (see e.g., Abstract).

As noted above, nothing in Parmer, Vaid and Chawla (individually or in combination) disclose or suggest the features of the “receiving function,” “group-judging function,” and “path-judging function” of claims 25, 46 and 47.

The present invention (e.g., as recited in claims 25, 46 and 47), on the other hand, provides a receiving function, a group-judging function, and the path-judging function that enables the determination of a communication path in synchronization with connecting electronic equipment to a transmission apparatus by considering the group to which the electronic belongs and the available bandwidth.

Accordingly, independent claims 25, 46 and 47 are not anticipated or rendered obvious by the cited prior art. Likewise, dependent claims 26-45 are not anticipated or rendered obvious by the cited prior art based at least on their dependency from independent claim 25.

In view of the above, the Examiner is respectfully requested to withdraw the rejections in the Office Action dated October 18, 2007. Additionally, it is submitted that the present

application is now in condition for allowance, and the Examiner is requested to pass the case to issue. If the Examiner should have any comments or suggestions to help speed the prosecution of this application, the Examiner is requested to contact Applicants' undersigned representative.

Respectfully submitted,

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